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REMARKS/ARGUMENTS

The Advisory Action was issued in response to the Applicant's amendment of January 22, 2004 which was filed in response to the Office Action dated October 22, 2003 (referred to herein below as the Office Action). The issues raised in the Office Action are being addressed in the present response for further consideration by the Examiner.

In paragraph 4 of the Office Action, the Examiner has rejected claims 1, 8, 11, 12, 21, 22, 26, 27, 28, 30, 31 and 36 under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 5,890,064 (Widergen, et al.) in view of United States Patent Application No. 20030038961 (Lynch, et al.).

Given below is a brief description of the present invention and of the cited references followed by a detailed description of how the above claims are patentable over the cited references.

The Present Invention

An apparatus for controlling data unit communications between a plurality of mobile stations is provided. Each mobile station has a respective maintained communication link with the apparatus. The apparatus has means for grouping at least two of the plurality of mobile stations as members of a private network group. The apparatus also has means for determining if a first mobile station sending a data unit and a second mobile station scheduled to receive the data are both members of the private network group. Finally, the apparatus has means for enabling communication of the data unit from the first mobile station to the second mobile station for the respective maintained communication links of the first mobile station and the second mobile station, only if they are both members of the private network group.

Widergen et al.

Widergen et al. disclose CMTs (Corporate Mobile Terminals) that are part of a corporate group to communicate with other "terminals" over a public mobile network. A call is routed depending

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on where the call originates and its destination. Furthermore, group members are not allowed to call members outside the group. Widergen et al. do not disclose communications links being maintained and deal with a completely different problem than that of the present invention.

Lynch et al.

Lynch et al. disclose a method for communicating a message between a client and a server. A communication link is maintained by using a socket connection and makes use of a special message structure to provide high through-put. However, Lynch et al. have nothing to do with mobile stations and therefore, have nothing to do with the present invention.

35 U.S.C. 103(a) Rejections

To begin, the Examiner has combined the references in making his 35 U.S.C. 103(a) rejection of claims 1, 8, 11, 12, 21, 22, 26, 27, 28, 30, 31, and 36. There are three requirements for establishing a prima facie case of obviousness: 1) all features must be present; 2) there must be an expectation of a reasonable chance of success; and 3) there must be some suggestion or motivation in the prior art to combine the references.

Claim 1

Claim 1 is directed to an "apparatus for controlling data unit communications between a plurality mobile stations, each of the mobile stations having a respective maintained communication link with the apparatus". In rejecting claim 1, the Examiner states "Widergen et al. disclose the apparatus and method for controlling data unit communications between a plurality of mobile stations" and refers to column 6, line 23, to column 7, line 3 of Widergen et al. With respect, in this passage reference is made to mobile subscribers; however, as noted by the Examiner, Widergen et al. fail to disclose "each of the mobile stations having a respective maintained communication link with the apparatus".

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Claim 1 also recites:

"means for enabling communication of the data unit from the first mobile station to the second mobile station through the respective maintained communication links of the first mobile station and the second mobile station only if they are both members of the private network group".

The Examiner has referred to column 17, lines 33 to 52 as disclosure of this claim feature. In this passage Widergen et al. discuss preferred routing and selecting call barring examples of originating IN (Intelligent Network) services. A service may be used for barring selected calls to PMTs. In this feature, a corporate group is defined as a closed user group with outside calls barred, i.e., corporate group members are not allowed to call members outside the group. With respect, this is different than "means for enabling communication of the data unit from the first mobile station to the second mobile station through the respective maintained communication link" (emphasis added on the underlined position). As noted by the Examiner, Widergen et al. fail to teach "each of the mobile stations having a respective maintained communication link with the apparatus for enabling communication from the first mobile station to the second mobile station". The Examiner then refers to Lynch et al. and states "Lynch et al. from the same or similar fields of endeavor teach that it is known to provide each of the mobile stations having a respective maintained communication link with the apparatus for enabling communication from the first mobile station to the second mobile station (see Fig. 5, page 2 paragraphs 0021, 0028, and pages 4-5 paragraph 0062); the server coupled to the LAN (page 2 paragraph 0021); and the mobile stations comprise a personal computer with a wireless modem (page 3 paragraph 0041-0042)." In these passages and in Fig 5. of Lynch et al. there is no reference being made to any mobile stations, a communications link is simply maintained between a message link between a client and server. Furthermore, on page 2, paragraph 0021 of Lynch et al., disclosed is a "modem for data transmission or reception" and there is no reference being made to a wireless modem. As such, there is no means for enabling communication of the data unit from the first mobile station to the second mobile station through the respective maintained communications link...". Not all of the claim features of claim 1 have been disclosed by the cited references and requirement 1) for a prima facie case of obviousness cannot be satisfied.

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In addition, the Examiner states "it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide each of the mobile stations with a respective maintained communication link with the apparatus for enabling communication from the first mobile station to the second mobile station; the server coupled to the LAN; and the mobile station comprises a personal computer with a wireless modem as taught by Lynch et al. in the apparatus Widergen et al.". With respect, as discussed above Lynch et al. do not teach mobile stations nor wireless modems. As such, a combination of the teachings of Widergen et al. and Lynch et al. cannot produce the desired result of the invention as claimed. Furthermore, in Widergen et al. it makes no sense to maintain communication links. In particular, Widergen et al. provide a wireless office system that is integrated into both a private telephony network and a public LAN mobile network that includes a public cellular system. Referring to Figure 1 and column 4, lines 44 to 47 of Widergen et al., a terminal of wireless office system 142 may be assigned to a corporate group of PTN (Private Fixed Telephony Network) 108. The corporate group may contain both mobile terminals (CMTs) of wireless office system 142 and FTs (Fixed Terminals) of PTN 108. Referring to column 6, lines 28 to 30, a basic routing function allows CMTs of wireless office system 142 to roam in public cellular system 140. It simply makes no sense to maintain communications links in a system such as that of Widergen et al. in which mobile terminals communicate over public cellular system 140. This would require each mobile terminal to maintain a communication link. Furthermore, there would not be enough resources available to maintain the links. As such, again there is no reason to believe that incorporating the features of Lynch et al. into Widergen et al. will produce the desired result of the invention and requirement 2) for a prima facie case of obviousness cannot be satisfied.

In addition, as discussed above Widergen et al. do not maintain communications links and in a public LAN mobile network that includes a public cellular system 140 it makes no sense to maintain communications links. As such, incorporating the teachings of Lynch et al. as suggested by the Examiner teaches away from the invention of Widergen et al. Furthermore, as discussed above Lynch et al. do not teach mobile stations nor teach wireless modems and have nothing to do with wireless systems, but instead solve a completely different problem than that

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of Widergen et al. As such, there is no motivation or suggestion for combining the references requirement 3) for a prima facie case of obviousness cannot be satisfied.

None of the requirements for a prima facie case of obviousness are satisfied. The Examiner is respectfully requested to withdraw his 35 U.S.C 103(a) rejection of claim 1.

Claim 8

Claim 8 depends on claim 1 and should be allowed for the same reasons as discussed above with reference to claim 1. Furthermore, claim 8 recites:

“means for determining if the data unit is of a type requiring limited access, and means for enabling communication of the data unit from the first mobile station to the second mobile station if the data unit is not of the type requiring limited access, even if the first and second mobile stations are both not members of the private network group.”

The Examiner has referred to column 7, lines 27 to 54 of Widergen et al. as disclosure for this claim feature. With respect, Applicant cannot find any disclosure in this passage of determining if a data unit is of a type requiring limited access and enabling communication of the data unit from the first mobile station to the second mobile station if the data unit is not of the type requiring limited access. As such, not all claim features of claim 8 have been disclosed by the cited references.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 8.

Claim 11

Claim 11 is similar in scope to claim 1 except that instead of reciting a “means for enabling communication of a data unit...”, it recites:

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"means for disabling communication of the data unit from the first mobile station to the second mobile station through the respective maintained communication links of the first mobile station and the second mobile station if they are not both members of the private network group".

The Examiner has referred to column 17, lines 33 to 52 or Widergen et al. as disclosure for this claim feature. With respect, this passage discusses how outside calls are barred in which for example corporate group members are not allowed to call members outside the group. With respect, this is not the same as disabling communication of a data unit from a first mobile station to a second mobile station. Instead, calls are simply barred.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 11.

Claim12

Claim12 has been amended to replace the expression "a respective communication link" with "a respective maintained communication link". Except for minor differences, claim 12 is similar in scope to claim 1 and should be allowed for the same reasons as discussed above with reference to claim 1.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 12.

Claim 21

Claim 21 depends on claim 12 and should be allowed for the same reasons as discussed above with reference to claim 12. Furthermore, claim 21 contains claim features of similar scope to those of claim 8 and should also be allowed for the same reasons as discussed above with reference to claim 8.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 21.

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Claim 22

Claim 22 contains features of similar scope to those of claim 1 and should be allowed for the same reasons as discussed above with reference to claim 1.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 22.

Claim 26

Claim 26 depends on claim 22 and should be allowed for the same reasons as discussed above with reference to claim 22. Furthermore, claim 26 recites:

“at least one of the plurality of apparatus is an intelligent peripheral coupled with a third generation wireless network”.

The Examiner has referred to column 5, lines 41 to 47 of Widergen et al. as disclosure for this claim feature. With respect, in this passage there is no reference being made to a third generation wireless network. As such, the additional features of claim 26 are not disclosed by the cited references.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 26.

Claim 27

Claim 27 depends on claim 22 and should be allowed for the same reasons as discussed above with reference to claim 22. Furthermore, claim 27 recites:

“at least one of the plurality of apparatus is a server coupled to a Local Area Network (LAN)”.

The Examiner has referred to page 2, paragraph 0021 of Lynch et al. as disclosure for this claim feature. With respect, in this passage applicant cannot find any disclosure of any server coupled

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to a LAN. Instead, a message is transmitted from a client to a server via an interface means. As such, the additional features of claim 27 are not disclosed in the cited references.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 27.

Claim 28

Claim 28 contains features of similar scope of claim 1 and should be allowed for the same reasons as discussed above with reference to claim 1.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 28.

Claim 30

Claim 30 depends on claim 28 and should be allowed for the same reasons as discussed above with reference to claim 28. Furthermore, claim 30 recites:

"a mobile switching center coupled between the apparatus and the radio network controller, the mobile switching center comprising means for controlling the switching operations of the wireless network with a predefined cell cluster".

The Examiner has referred to column 3, line 59 to column 4, line 25 of Widergen et al. as disclosure for this claim feature. With respect, in this passage there is no reference being made to a radio network controller. As such, there can be no disclosure of any mobile switching center coupled between the apparatus as defined in claim 30 and a radio network controller. As such, not all of the additional features of claim 30 are disclosed.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 30.

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Claim 31

Claim 31 depends on claim 28 and should be allowed for the same reasons as discussed above with reference to claim 28. Furthermore, claim 28 recites:

“at least one of the mobile stations comprises a personal computer with a wireless modem”.

The Examiner has referred to page 3, paragraphs 0041 to 0042 of Lynch et al. as disclosure for this claim feature. With respect, in these passages there is no references being made to a wireless modem. Instead reference is made to “a modem for data transmission”. As such, Applicant submits that the additional features of claim 31 are not disclosed by Lynch et al.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 31.

Claim 36

Claim 36 is similar in scope to claim 1 except that it is directed to a method and should be allowed for the same reasons as discussed above with reference to claim 1.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 36.

In paragraph 5 of the Office Action, the Examiner has rejected claims 2 to 7, 13 to 20 and 23 to 25 under 35 U.S.C 103(a) as being unpatentable over Widergen et al. in view of Lynch et al. and United States Patent No. 6,161,016 (Yarwood). Given below is a brief description of the Yarwood patent followed by a detailed discussion on how claims 2 to 7, 13 to 20 and 23 to 25 are patentable over the cited references.

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Yarwood

In Yarwood calls are broadcast in a cellular radio system. Each cell allocates a single channel to a broadcast service irrespective of the number of mobile units in a cell. This allows more efficient use of the available channels than a use of a separate channel for each mobile unit. With respect, this has nothing to do with the present invention.

Claim 2

Claim 2 depends on claim 1 and should be allowed for the same reasons as discussed above with reference to claim 1. Furthermore, claim 2 recites:

“each of the mobile stations has a corresponding Home Location Registration (HLR);

wherein the means for grouping at least two of the plurality of mobile stations as members of a private network group comprises means for listing the HLRs of the at least two mobile stations within a private network group table; and

wherein the means for determining if the first and second mobile stations are both members of the private network group comprises means for determining if the HLRs of the first and second mobile stations are both listed within the private network group table”.

The Examiner has referred to column 3, lines 36 to 47 of Yarwood as disclosure for this claim feature. With respect, this passage discloses a look-up table which identifies whether a mobile unit is authorized to use a cellular network. There is no means for listing HLRs of the at least two mobile stations within a private network group table. There is simply an identification of whether a mobile unit is authorized to use a cellular network. Furthermore, since there is no disclosure of any HLRs there can be no means for determining if the HLRs of the first and second mobile stations are both listed within the private network group table. As such, applicant submits that the additional features of claim 2 are not disclosed by Yarwood. Furthermore,

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Yarwood deals with broadcasting calls from a control center or any mobile unit with each cell allocating a single channel to a broadcast service. Yarwood solves a completely different problem than those of the present invention and of the other cited references. As such, there is no basis for combining Yarwood with any of the other cited references.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 2.

Claim 3

Claim 3 depends on claim 2 and should be allowed for the same reasons as discussed above with reference to claim 2. Furthermore, claim 3 recites:

"each of the mobile stations further has a corresponding data address and the data unit includes a data address corresponding to a desired destination mobile station at a destination address;

wherein the means for grouping at least two of the plurality of the mobile stations as members of a private network group further comprises means for listing the data addresses of the at least two mobile stations within the private network group table corresponding to their HLRs; and

wherein the means for determining if the first and second mobile stations are both members of the private network group further comprises means for determining the HLR of the second mobile station by looking-up the destination address of the data unit within the private network group table".

The Examiner has referred to column 5, lines 43 to 59 of Yarwood as disclosure for this claim feature. With respect, in this passage a mobile unit, on performing location update, will pass its identity to the network, which is unused to determine an HLR address to which a VLR (Visitor Location Register) has to pass the location update information. The HLR has a permanent VLR address entry stored in it for a broadcast service which covers a broadcast area. With respect,

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this has nothing to do with a means for listing data addresses of at least two mobile stations within a private network group table corresponding to their HLRs as a means for grouping at least two of the plurality of mobile stations. As such, applicant submits that the additional features of claim 3 are not disclosed by Yarwood.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 3.

Claim 4

Claim 4 depends on claim 3 and should be allowed for the same reasons as discussed above with reference to claim 3. Furthermore claim 4 recites:

“the data addresses are Internet Protocol (IP) addresses”.

The Examiner has referred to page 2, paragraph 0017 of Lynch et al. as disclosure for this claim feature. With respect, in this passage reference is made only to a TCP/IP interface and there is no disclosure of the data addresses as defined in claim 4 being IP addresses.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 4.

Claim 5

Claim 5 depends on claim 1 and should be allowed for the same reasons as discussed above with reference to claim 1. Furthermore, except for some differences claim 5 contains features of similar scope to those of claim 2 and should be allowed for the same reasons as discussed above with reference to claim 2.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 5.

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Claim 6

Claim 6 depends on claim 5 and should be allowed for the same reasons as discussed above with reference to claim 5. Furthermore, applicant submits that the Examiner has not specifically addressed the features of claim 6, but has simply stated that these features are disclosed by Yarwood.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 6.

Claim 7

Claim 7 depends on claim 6 and should be allowed for the same reasons as discussed above with respect to claim 6. Furthermore, claim 7 recites:

“the data address corresponding to the second apparatus is an Internet Protocol (IP) address”.

The Examiner has referred to page 2, paragraph 0017 of Lynch et al. as disclosure for this claim feature; however, applicant submits that this claim feature is not disclosed in Lynch et al. for the same reasons as discussed above with reference to claim 4.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 7.

Claim 13

Claim 13 depends on claim 12 and should be allowed for the same reasons as discussed above with reference to claim 12. Furthermore, claim 13 contains some claim features of similar scope to those of claim 5 and should also be allowed for the same reasons as discussed above with reference to claim 5.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 13.

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Claim 14

Claim 14 depends on claim 13 and should be allowed for the same reasons as discussed above with reference to claim 13.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 14.

Claim 15

Claim 15 depends on claim 13 and should be allowed for the same reasons as discussed above with reference to claim 13.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 15.

Claim 16

Claim 16 depends on claim 13 and should be allowed for the same reasons as discussed above with reference to claim 13. Furthermore, the Examiner has not addressed the specific features of claim 16 in the detailed action.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 16.

Claim 17

Claim 17 depends on claim 15 and should be allowed for the same reasons as discussed above with reference to claim 15. Furthermore, claim 17 recites additional claim features of similar scope of claim 4 and should be allowed for the same reasons as discussed above with reference to claim 4.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 17.

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Claim 18

Claim 18 depends on claim 16 and should be allowed for the same reasons as discussed above with reference to claim 16. Furthermore, claim 18 recites additional claim features of similar scope to those of claim 27 and should be allowed for the same reasons as discussed above with reference to claim 27.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 18.

Claim 19

Claim 19 depends on claim 13 and should be allowed for the same reasons as discussed above with reference to claim 13. Furthermore, claim 13 recites some claim features of similar scope to those of claim 2 and should be allowed for the same reasons as discussed above with reference to claim 2.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 19.

Claim 20

Claim 20 depends on claim 19 and should be allowed for the same reasons as discussed above with reference to claim 19. Furthermore, claim 20 recites additional claim features of similar scope to those of claim 4 and should be allowed for the same reasons as discussed above with reference to claim 4.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 20.

Claim 23

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Claim 23 depends on claim 22 and should be allowed for the same reasons as discussed above with reference to claim 22. Furthermore, claim 23 recites some claim features of similar scope to those of claim 5 and should be allowed for the same reasons as discussed above with reference to claim 5.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 23.

Claim 24

Claim 24 depends on claim 23 and should be allowed for the same reasons as discussed above with reference to claim 23.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 24.

Claim 25

Claim 25 depends on claim 22 and should be allowed for the same reasons as discussed above with respect to claim 22. Furthermore, claim 25 recites additional features of similar scope of those of claim 16 and should be allowed for the same reasons as discussed above with reference to claim 16.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 25.

In paragraph 6 of the Office Action, the Examiner has rejected claims 9 and 29 under 35 U.S.C. 103(a) as being unpatentable over Widergen et al. in view of Lynch et al. and further in view of United States Patent Application No. 20030037160 (Wall et al.).

Given below is a brief description of the Wall et al. reference together with a detailed description as to how claims 9 and 29 are patentable over the cited references.

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Wall et al.

Wall et al. disclose a method and apparatus for adaptably providing data to a virtual desktop system. A computational service provider is configured to prepare one or more data streams through a viable interconnection fabric to multiple HIDs (Human Interface Devices). The data stream is configured by the computational service provider to adaptively meet the performance needs of the HID receiving the data stream. This enables multiple HIDs to receive variance of the same data stream that may differ in quantity, quality, and/or data format. With respect, this has nothing to do with the present invention.

Claim 9

Claim 9 depends on claim 1 and should be allowed for the same reason as discussed above with reference to claim 1. In particular, the Examiner's rejection on claim 1 is based on the false premise that claim 1 is rendered obvious in view of Widergen et al. and Lynch et al. Applicant submits that Wall et al. also fail to disclose the features of claim 1 that Widergen et al. and Lynch et al. fail to disclose. Furthermore, claim 9 recites:

"means for sending a bandwidth request signal prior to enabling communication of the data unit if the second mobile station has insufficient bandwidth capabilities to receive the data unit on the respective maintained communication link of the second mobile station".

The Examiner states that Wall et al. "teach that it is known to provide the means for sending a bandwidth request prior to enabling communication of the data unit if the second mobile station has insufficient bandwidth capabilities to receive the data unit on the respective maintained communication link of the second mobile station" and refers to pages 3 and 4, paragraphs 0033 to 0034 of Wall et al. as disclosure for this claim feature. With respect, in these paragraphs a computational service provider contains a resource optimization module configured to determine how much bandwidth to consume while transmitting a particular process to a HID. A resource

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optimization module also utilizes a bandwidth allocation message to determine how to adjust the process or data stream before transmitting it to a requesting HID. With respect, this is different than what is contemplated in claim 9 where the bandwidth request signal is sent prior to enabling communication of the data unit. Furthermore, in Wall et al. the resource optimization module utilizes a bandwidth allocation message to determine how to adjust a process or data stream before transmitting it to a requesting HID and this has nothing to do with sending a bandwidth request. In addition, in paragraph 0034 of Wall et al. a message communicating an amount of bandwidth actually available is sent. Again, this is not a bandwidth request signal. Finally, in paragraphs 0033 and 0034 of Wall et al. there is no disclosure to a bandwidth request signal prior to enabling communication of the data unit if the second mobile station has insufficient bandwidth capabilities to receive the data unit on the respective maintained communication link of the second mobile station. As such, Wall et al. do not disclose the additional features of claim 9 that Widergen et al. and Lynch et al. fail to disclose.

Furthermore, Wall et al. solve a completely different problem than those contemplated the present invention and the cited references corresponding to Widergen et al. and Lynch et al. As such, there is no reason to combine the cited references.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 9.

Claim 29

Claim 29 depends on claim 28 and should be allowed for the same reasons as discussed above with reference to claim 28. Furthermore, there is no reason for combining the teachings of Wall et al. with Widergen et al. and Lynch et al. for the same reasons as discussed above with reference to claim 9.

The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 29.

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In paragraph 7 of the Office Action, the Examiner has rejected claim 10 under 35 U.S.C. 103(a) as being unpatentable over Widergen et al. in view of Lynch et al. and further in view of United States Patent No. 5,793,856 (Nakamura). Claim 10 depends on claim 1 and should be allowed for the same reasons as discussed above with respect to claim 1. In particular, the Examiner's rejection of claim 10 is based on a false premise that claim 1 is rendered obvious in view of Widergen et al and Lynch et al. and Applicant submits that Nakamura fails to disclose the claim features of claim 1 that Widergen et al. and Lynch et al. also fail to disclose

Furthermore, claim 10 recites:

"means for sending an error signal to the first mobile station if the first and second mobile stations are not both members of the private network group".

The Examiner has referred to column 9, lines 63 to 67 of Nakamura for this claim feature. As noted by the Examiner it is known to judge whether a receipt dial number is an extension number or not and an error of notification is sent to a sender in the case where it is not any extension number; however, this is clearly not what is contemplated in claim 10 where an error signal is sent to the first mobile station if the first and second mobile stations are not both members of the private network group.

The Examiner maintains that it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide means for sending error signal if stations are not both members of the private network group as taught by Nakamura to the apparatus of Widergen et al. in view of Lynch et al. because Nakamura teaches the desirable advantages of switching extension number which can be changed without the operation by a switch operator and said switching without the operation of a switch operator being desirable to achieve more efficient system operation in Widergent et al in view of Lynch et al".

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With respect, the error notification sent in Nakamura is to solve a completely different problem than that contemplated by the present invention and that combining the teaching of Nakamura with those of Widergen et al and Lynch et al. is inappropriate.


The Examiner is respectfully requested to withdraw his 35 U.S.C. 103(a) rejection of claim 10.

Finally, new claims 37 to 43 have been added. Independent claim 40 should be allowed for the same reasons as discussed above with reference to claim 36. Furthermore, new dependent claims 37 to 39 and 41 to 43 should be allowed for the same reasons as discussed above with reference to claims 2, 5, and 8.

In view of the forgoing, early favorable consideration of this application is earnestly solicited.

Respectfully submitted,

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